UNITED STATES PATENT AND TRADEMARK OFFICE

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10/632,615	07/31/2003	Carl Schoeneberger	NUASI-00101	4771

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EXAMINER
O CONNOR, BRIAN T

ART UNIT	PAPER NUMBER
2616	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	10/632,615	SCHOENEBERGER ET AL.
Office Action Summary	Examiner	Art Unit	
	Brian T. O'Connor	2616	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 July 2003</u>.

2a)☐ This action is **FINAL.** 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10 and 12-93</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-6,43-66,69,70,73,74,76-80,83,84,87,88 and 90-93</u> is/are rejected.

7)☒ Claim(s) <u>7-10,12-42,67,68,71,72,75,81,82,85,86 and 89</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>31 July 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/28/2005</u>. 11/7/2005; 1/30/2006; 2/21/2006

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)

5/22/2006

Office Action Summary

Part of Paper No./Mail Date 20070802

6/15/2006 ; 9/15/2006

DETAILED ACTION

Response to Amendment

1.   This office action is in response to Applicant's preliminary amendment filed on 03/01/2004.

2.   Claims 1, 4, 5, 7-10, 12-16, 19, 20, 36, 37, 63, and 64 have been amended. Claim 11 has been cancelled. Claims 65-93 have been newly added. Claims 1-10 and 12-93 are currently pending.

Specification

3.   The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "CONTACT CENTER WITH NORMALIZED MULTIPLE PROCOTOL ARCHITECTURE".

4.   The use of the trademark **NUASIS** has been noted in this application (several paragraphs in the specification and in <u>claims 10, 76, and 90</u>). It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Objections

5.   Claim 74 is objected to because of the following informalities: Claim 74 recites "optomally" on line 1 as a typographical error. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

7.   Claims 63 and 67-80 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

Claim 63 is incomplete due to omitting essential elements, such omission

amounting to a gap between the elements. See MPEP § 2172.01. The omitted

elements are: a destination device or system for the "at least one node" to route

communications. Where or what the "node" would send/route the communications to is

not clear.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

9.   Claims 1, 3, 5, and 65 are rejected under 35 U.S.C. 102(e) as being anticipated

by Dilip et al. (US 6,704,409; hereafter Dilip).

With respect to claim 1, Dilip discloses a center for call processing (Abstract) that contains a hub (40, 50 of Figure 2) for receiving and routing calls from customers (column 5, lines 8-16). The hub has a server (50 of Figure 2) to handle customer calls and a gateway (40 of Figure 2) for voice calls from customers. Dilip also describes a router (74 of Figure 3) to send the customers calls to the server (the calls are normalized so that all are delivered to the server) and an application server (76, 80 of Figure 3) connected to the router (74 of Figure 3). The application server used QoS rules to send messages through the router. Dilip also describes a node (72 of Figure 3), connected to the hub (44, 40 of Figure 2), for receiving the call and send the call to one of many agents (46 of Figure 2; column 6, lines 29-48).

With respect to claim 3, Dilip further discloses a workflow engine (80 of Figure 3; column 8, lines 64-67) for determining the QoS criteria for routing calls to the router (74 of Figure 3).

With respect to claim 5, Dilip further discloses an email server (62 of Figure 2), a web server (64 of Figure 2), and a voice server (60 of Figure 2) all coupled together by a LAN (48 of Figure 2).

With respect to claim 65, Dilip further discloses that each agent (46 of Figure 2) has an identical computer for receiving and sending calls.

10.   Claims 63, 64, 69, 70, 73, 74, 78, 80, 83, 84, 87, 88, 92, and 93 are rejected under 35 U.S.C. 102(e) as being anticipated by Crowther et al. (US 6,771,765; hereafter Crowther).

With respect to claim 63, Crowther discloses a technique for handling incoming customer calls in a call server (Abstract) where a call is placed to a hub (250, 1, 2, 100 of Figure 4; the call center system is viewed as equivalent to a hub) that contains a PBX or server (120 of Figure 4) to assist the incoming call. The call proceeds to a media router (100 of Figure 4) where it is sent to a workflow manager (118 of Figure 4; viewed as normalizing the incoming call) prior to reaching an agent (124 of Figure 4). The workflow manager (118 of Figure 4; viewed as an application server) will route the call to an agent manager (116 of Figure 4; viewed as a node) that sends the call to one of the agents. The workflow manager (118 of Figure 4) will route or send the call based a set of predetermined routing conditions (column 4, lines 3-17).

With respect to claim 69, Crowther further discloses skillset queuing structures (Figure 2; column 4, lines 35-46; viewed as equivalent to an immediate workflow engine) used to evaluate the predetermined routing conditions (column 4, lines 3-17).

With respect to claim 70, Crowther further discloses a configuration database (140 of Figure 4; viewed as equivalent to a CRM database) used to configure the skillset structures with configuration data (column 5, lines 1-8).

With respect to claim 73, Crowther further discloses skillset queuing structures (Figure 2; column 4, lines 35-46; viewed as equivalent to software ACD) used to evaluate when to send the call to the node (116 of Figure 4; column 4, lines 3-17).

With respect to claim 74, Crowther further discloses a configuration database (140 of Figure 4; viewed as equivalent to a CRM database) used to configure the

skillset structures with configuration data (column 5, lines 1-8) to that the skills of the agents are optimally matches to the incoming calls.

With respect to claim 78, Crowther further discloses assigning a priority level to each incoming call and updating the priority as calls are sent to agents (column 4, lines 47-64; column 4, lines 3-17).

With respect to claim 80, Crowther further discloses that every agent has a telephone to receive and response to incoming calls (124-1, 124-2, 124-N of Figure 4).

With respect to claim 64, Crowther discloses a call center for handling incoming customer calls (Abstract) where a call is placed to a hub (250, 1, 2, 100 of Figure 4; the call center system is viewed as equivalent to a hub) that contains a PBX or server (120 of Figure 4; viewed as means for receiving) to process the incoming call. The call proceeds to a media router (100 of Figure 4; viewed as means for normalizing) where it is sent to a workflow manager (118 of Figure 4; viewed as normalizing the incoming call) prior to reaching an agent (124 of Figure 4). The workflow manager (118 of Figure 4; viewed as an means for routing) will route the call to an agent manager (116 of Figure 4; viewed as a node) that send the call to one of the agents. The workflow manager (118 of Figure 4; viewed as an means for routing) will route or send the call based a set of predetermined routing conditions (column 4, lines 3-17).

With respect to claim 83, Crowther further discloses skillset queuing structures (Figure 2; column 4, lines 35-46; viewed as equivalent to an immediate workflow engine) used to evaluate the predetermined routing conditions (column 4, lines 3-17).

With respect to claim 84, Crowther further discloses a configuration database (140 of Figure 4; viewed as equivalent to a CRM database) used to configure the skillset structures with configuration data (column 5, lines 1-8).

With respect to claim 87, Crowther further discloses skillset queuing structures (Figure 2; column 4, lines 35-46; viewed as equivalent to software ACD) used to evaluate when to send the call to the node (116 of Figure 4; column 4, lines 3-17).

With respect to claim 88, Crowther further discloses a configuration database (140 of Figure 4; viewed as equivalent to a CRM database) used to configure the skillset structures with configuration data (column 5, lines 1-8) to that the skills of the agents are optimally matched to the incoming calls.

With respect to claim 92, Crowther further discloses assigning a priority level to each incoming call and updating the priority as calls are sent to agents (column 4, lines 47-64; column 4, lines 3-17).

With respect to claim 93, Crowther further discloses that every agent has a telephone to receive and response to incoming calls (124-1, 124-2, 124-N of Figure 4).

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 2, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Dilip in view of Crowther.

With respect to claim 2, Dilip fails to disclose a node router to provide the

application server with the status of the agents.

Crowther disclose a node router (118 of Figure 4) will route or send a call based

a set of predetermined routing conditions (column 4, lines 3-17) and the result of

monitoring the agents.

One of ordinary skill in the art would realize the benefit of greater optimization by

monitoring the agents before routing calls to the agents. Thus it would have been

obvious to one of ordinary skill in the art at the time of the invention to use the node

router of Crowther with the call center of Dilip.

With respect to claim 4, Dilip fails to disclose a database used to set workflow

parameters for a workflow engine.

Crowther discloses a configuration database (140 of Figure 4; viewed as

equivalent to a CRM database) used to configure the skillset structures with

configuration data (column 5, lines 1-8) to that the skills of the agents are optimally

matched to the incoming calls.

One of ordinary skill in the art would realize the benefit of greater optimization by

assigning parameters to queues for agents before routing calls to the agents. Thus it

would have been obvious to one of ordinary skill in the art at the time of the invention to

use the node router of Crowther with the call center of Dilip.

With respect to claim 6, Dilip fails to disclose an email router, a web router, and a voice router.

One of ordinary skill in the art at the time of the invention would realize that the email server, web server, and voice server could gain efficiency by having their own dedicated routers.

13.   Claims 43-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dilip in view of Sheldon et al. (US 6,072,486; hereafter Sheldon).

With respect to claim 43, Dilip fails to disclose a GUI with a shutters managed display with a task bar, a shutter icon for each application, a workflow associated with each shutter icon, and a managed application for the shutter icon displayed in a display area that are placed and sized according to a set of rules.

Sheldon discloses a GUI with a shutters managed display (300 of Figure 11) with a task bar (310 of Figure 11), a shutter icon for each application (500 of Figure 11), a workflow associated with each shutter icon, and a managed application (710 of Figure 11) for the shutter icon displayed in a display area that are placed and sized according to a set of rules (column 18, lines 3-48). One of ordinary skill in the art would realize that the GUI icons in Sheldon could represent workflows or queuing processes.

One of ordinary skill in the art would realize the benefit of improved data updating by using the teachings of Sheldon. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the GUI of Sheldon with the call center of Dilip.

With respect to claims 44, 45, 46, 48, and 49, Dilip fails to disclose the

representations of shutter icons by applications, control panels, and association of icons

to managed applications. One of ordinary skill in the art at the time of the invention

would realize that all GUI displays for computer have these properties and functions

because they provide a benefit of improved software interaction.

With respect to claim 47, Dilip further discloses a display (210 of Figure 9) and

an input device (214 of Figure 9) for the agents.

14.   Claims 50-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Dilip in view of Schott (US 5,844,572; hereafter Schott).

With respect to claim 50, Dilip fails to disclose a GUI with a view having

wedges to represent values, a thumb for each wedge so that its value is changeable, a

track edge so that the user may change an attribute of the GUI, and when one wedge

value is changes the remain wedges are updated.

Schott disclose a GUI with a view having wedges to represent values (486, 478,

488 of Figure 26E), a thumb for each wedge so that its value is changeable (480 of

Figure 26E), a track edge so that the user may change an attribute of the GUI

(spreadsheet of Figure 26E), and when one wedge value is changes the remain wedges

are updated (484b, 478 of Figure 26E; 484b, 478 of Figure 26F).

One of ordinary skill in the art would realize the benefit of improved data updating

by using the teachings of Schott. Thus it would have been obvious to one of ordinary

skill in the art at the time of the invention to use the GUI of Schott with the call center of Dilip.

With respect to claims 51-62, Dilip fails to disclose any of the GUI properties recited in these claims.

One of ordinary skill in the art at the time of the invention would realize that all GUI displays for user widgets have these properties and functions because they provide a benefit of improved data interaction.

15.   Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dilip in view of Jennings et al. (US 6,430,174; hereafter Jennings).

With respect to claim 66, Dilip fails to disclose a softphone for each agent.

Jennings discloses a multimedia VOIP phone (108, 110 of Figure 1; column 5, lines 16-25) for use in a multimedia communication system.

One of ordinary skill in the art would realize the benefit of more effective communication by using a multimedia VOIP phone as in Jennings with the call center of Dilip for each agent. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention to use the VOIP phone of Jennings with the call center of Dilip.

16.   Claims 76, 79, and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crowther in view of Dilip.

With respect to claims 76 and 90, Crowther fails to disclose recording

transaction data from the skillset structures (workflow engine) with a NUASIS database

that is coupled to the skillset structures in the workflow manager.

Dilip, in an invention of call processing, discloses a database (52 of Figure 2; 78

of Figure 3) for recording transaction in the call processing system (column 8, lines 59-

65). One ordinary skill in the art would realize that using a generic database or a

NUASIS database as a designer's choice of implementation because both databases

provide the same function of transaction recording and reporting.

Dilip realizes the advantage of greater processing by employing several types of

transaction servers in a call processing system (column 2, lines 25-31). Thus it would

have been obvious to one of ordinary skill in the art at the time of the invention to use

the database of Dilip with the call processing center of Crowther.

With respect to claim 79, Crowther fails to disclose a node voice server, a local

gateway, a node voice router, and a node application server.

Dilip, in an invention of call processing, discloses a

Dilip realizes the advantage of greater processing by employing several types of

transaction servers in a call processing system (column 2, lines 25-31). Thus it would

have been obvious to one of ordinary skill in the art at the time of the invention to use

the database of Dilip with the call processing center of Crowther.

17.   Claims 77 and 91 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Crowther in view of Dilip and further in view of Pugh et al. (US 5,483,582; hereafter

Pugh).

With respect to claims 77 and 91, Crowther fails to disclose creating a contact

history view created and sent to the agents.

Pugh, in a call service processing application, discloses a database (60 of Figure

1) and sending a call history from the database to an operator or processing an

incoming call (column 15, lines 8-14).

Pugh realizes the advantage of more effective call handling by providing an

operator/agent with a history of calls. Thus it would have been obvious to one of

ordinary skill in the art at the time of the invention to use the call history viewing of Pugh

with the call processing center of Crowther.

Allowable Subject Matter

18.   Claims 7-10, 12-42, 67, 68, 71, 72, 75, 81, 82, 85, 86, and 89 objected to as

being dependent upon a rejected base claim, but would be allowable if rewritten in

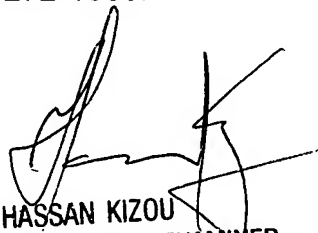independent form including all of the limitations of the base claim and any intervening

claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian T. O'Connor whose telephone number is 571-270-1081. The examiner can normally be reached on 9:00AM-6:30PM, M-F, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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August 3, 2007

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